

that provides for the rights and responsibilities described in section 4(b) solely because such State law excludes from its coverage employees of a State militia or national guard;

(5) to permit parties in States subject to the regulations and procedures described in section 5 to negotiate provisions that would prohibit an employee from engaging in part-time employment or volunteer activities during off-duty hours;

(6) to prohibit a State from exempting from coverage under this Act a political subdivision of the State that has a population of less than 5,000 or that employs less than 25 full-time employees; or

(7) to preempt or limit the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4(b) solely because such law or ordinance does not require bargaining with respect to pension, retirement, or health benefits.

For purposes of paragraph (6), the term "employee" includes each and every individual employed by the political subdivision except any individual elected by popular vote or appointed to serve on a board or commission.

(b) COMPLIANCE.—

(1) ACTIONS OF STATES.—Nothing in this Act or the regulations promulgated under this Act shall be construed to require a State to rescind or preempt the laws or ordinances of any of the State's political subdivisions if such laws provide rights and responsibilities for public safety officers that are comparable to or greater than the rights and responsibilities described in section 4(b).

(2) ACTIONS OF THE AUTHORITY.—Nothing in this Act or the regulations promulgated under this Act shall be construed to preempt—

(A) the laws or ordinances of any State or political subdivision of a State, if such laws provide collective bargaining rights for public safety officers that are comparable to or greater than the rights enumerated in section 4(b);

(B) the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4(b) with respect to certain categories of public safety officers covered by this Act solely because such rights and responsibilities have not been extended to other categories of public safety officers covered by this Act; or

(C) the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4(b), solely because such laws or ordinances provide that a contract or memorandum of understanding between a public safety employer and a labor organization must be presented to a legislative body as part of the process for approving such contract or memorandum of understanding.

(3) LIMITED ENFORCEMENT POWER.—In the case of a law described in paragraph (2)(B), the Authority shall only exercise the powers provided in section 5 with respect to those categories of public safety officers who have not been afforded the rights and responsibilities described in section 4(b).

(4) EXCLUSIVE ENFORCEMENT PROVISION.—Notwithstanding any other provision of the Act, and in the absence of a waiver of a State's sovereign immunity, the Authority shall have the exclusive power to enforce the provisions of this Act with respect to employees of a State.

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 476—HONORING THE LIVES OF PRESIDENT OF POLAND LECH KACZYNSKI, HIS WIFE, AND 94 OTHERS WHO PERISHED ON APRIL 10, 2010, IN A PLANE CRASH WHILE EN ROUTE TO MEMORIALIZE THOSE POLISH OFFICERS, OFFICIALS, AND CIVILIANS WHO WERE MASSACRED BY THE SOVIET UNION 70 YEARS AGO**

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 476

Whereas, on April 10, 2010, the President of the Republic of Poland Lech Kaczynski, his wife Maria, and a cadre of current and former Polish statesmen, family members, and others departed Warsaw by plane to the Russian region of Smolensk;

Whereas the purpose of the delegation's visit was to hold a ceremony in solemn remembrance of the more than 22,000 Polish military officers, police officers, judges, other government officials, and civilians who were executed by the Soviet secret police, the NKVD, 70 years ago, between April 3 and the end of May 1940;

Whereas more than 14,500 Polish victims have been documented at 3 sites in Katyn (in present day Belarus), in Miednoye (in present day Russia), and in Kharkiv (in present day Ukraine), while the remains of an estimated 7,000 Polish victims have yet to be precisely located;

Whereas the Soviet Union failed to acknowledge responsibility for the massacres until President Mikhail Gorbachev's statement on April 13, 1990;

Whereas, on April 7, 2010, Russian Prime Minister Vladimir Putin became the first Russian or Soviet leader to join Polish officials in commemorating the anniversary of the murders;

Whereas the plane carrying the Polish delegation on April 10, 2010, crashed in Smolensk, tragically killing all 96 persons on board, including President Kaczynski, his wife, and other current and former Polish statesmen;

Whereas President Kaczynski was a steadfast proponent of consolidating freedom and prosperity in Poland and advancing them throughout Central and Eastern Europe and was a close friend of the United States of America; and

Whereas the deep friendship between the Governments and people of Poland and the United States is grounded in our mutual respect, shared values, and common priorities on nuclear nonproliferation, counterterrorism, human rights, regional cooperation in Eastern Europe, democratization, and international development: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the terrible tragedy that took place on April 10, 2010, when an aircraft carrying a delegation of current and former Polish officials, family members, and others crashed en route from Warsaw to Smolensk to memorialize the 1940 massacres, killing all 96 passengers;

(2) honors the life and legacy of the late President of Poland Lech Kaczynski and the lives and legacies of all Poles who perished in the plane crash on April 10, 2010;

(3) honors the lives and legacies of the more than 22,000 Polish government officials, military officers, and civilians who were exe-

cuted by the NKVD 70 years ago, between April and May 1940;

(4) expresses deep sympathy for the surviving family members of those who perished at the hands of the NKVD in 1940 and for the surviving family members of those who perished in the tragic plane crash of April 10, 2010;

(5) supports the people of Poland as they restore leadership in the institutions of the Government of Poland that were impacted by the crash of April 10, 2010; and

(6) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Poland to the United States.

Mr. LUGAR. Mr. President, I rise to honor the lives of President Lech Kaczynski, his wife, and 94 others who perished in a plane crash on April 10, 2010. President Kaczynski was a steadfast supporter of advancing freedom and prosperity in Poland and throughout Central and Eastern Europe and was a close friend of the United States. It is with tragic irony that this devastation has occurred at a time of solemn remembrance of the massacre of Polish officers and civilians in the Katyn Forest and elsewhere 70 years ago. Together with the Polish nation and friends of Poland worldwide, I mourn this unbelievably tragic loss. With these sentiments in mind, I am introducing this resolution honoring the lives of President of Poland Lech Kaczynski, his wife, and 94 others who perished on April 10, 2010 in a plane crash while en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union 70 years ago.

**SENATE RESOLUTION 477—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CÉSAR ESTRADA CHÁVEZ**

Mr. MENENDEZ (for himself, Mr. REID, Ms. STABENOW, Mr. DURBIN, Mrs. BOXER, Mr. UDALL of Colorado, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. BINGAMAN, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 477

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farmworkers laboring in fields and vineyards throughout the Southwest, when a bank foreclosure resulted in the loss of the family farm;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an 8th grade education, left school to work full-time as a farmworker to help support his family;

Whereas, at the age of 17, César Estrada Chávez entered the United States Navy and served the United States with distinction for 2 years;

Whereas, in 1948, César Estrada Chávez returned from military service to marry Helen Fabela, whom he had met while working in the vineyards of central California;

Whereas César Estrada Chávez and Helen Fabela had 8 children;